

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

Order Approving Millennium Trust Co. *
annexation into Bend Park & Recreation * ORDER NO. 2022-049
District *

WHEREAS, Millennium Trust Co. (“Petitioner”) through its representative Kevin Vergheo submitted a petition requesting annexation of the property, identified in Exhibit A in the petition attached to this Order, into Bend Park & Recreation District (“District”); and

WHEREAS, either the Deschutes County Clerk’s Office and/or Assessor’s Office verified that the petition was signed by a registered voter or a landowner, respectively, for the property as indicated in Exhibit B in the petition attached to this Order; and

WHEREAS, pursuant to ORS 198.857(4), the Deschutes County Community Development Department determined the petition is consistent with the Deschutes County Comprehensive Plan, as described in Exhibit C in the petition attached to this Order; and

WHEREAS, the Board held a duly noticed public hearing on November 2, 2022, to determine whether, in accordance with the County Comprehensive Plan, any applicable service agreement between a local government and the affected district, and the criteria prescribed by ORS 197.175, the affected area would benefit by annexation of said territory into the District; now, therefore

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDAINS as follows:

Section 1. The petition for annexation and all exhibits attached to this Order are hereby incorporated by reference.

Section 2. The petition for annexation is hereby approved, and the property identified in Exhibit A is declared annexed and included in the District.

Section 3. A copy of the signed Order will be forwarded to the Oregon Department of Revenue, Oregon Secretary of State Archives Division, Deschutes County Assessor’s Office and County Clerk’s Office, and the District.

Section 3. The purpose of this District is to provide park and recreation services.

Dated this ___ day of _____, 2022.

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, CHAIR

ANTHONY DeBONE, VICE CHAIR

ATTEST:

Recording Secretary

PHIL CHANG, COMMISSIONER

EXHIBIT A

PETITION TO ANNEX PROPERTY INTO
Bend Park and Recreation District
(Name of District)

To: The Board of County Commissioners, Deschutes County, Oregon

The undersigned, in support of this Petition, state as follows:

1. This Petition for Annexation is filed pursuant to ORS 198.850 to 198.859 on _____ (date) and Petitioners request the Board commence proceedings to annex the territory described herein into Bend Park and Recreation District (name of district), Deschutes County, Oregon.
2. This Petition for Annexation affects only Deschutes County and is not in any incorporated city limits.
3. The Board of Bend Park and Recreation District (name of district) approved the petition pursuant to ORS 198.850 on _____ (insert date).
4. The principal act for Bend Park and Recreation District (name of district) is ORS A park and recreation district organized under ORS chapter 266.
(Proper statutory reference required, see ORS 198.010 for listing of appropriate principal act)
5. The territory subject to this Petition for Annexation is primarily inhabited / uninhabited (circle one). This petition is signed by land owners and/or registered voters in the area proposed to be annexed as indicated opposite their respective signature, and all signatures were obtained on or after the _____ day of 20__.
6. The property street address(es) of land for annexation (if known) is/are 61105 Ferguson Rd. Bend, OR 97702 and the total acreage is 36.99'. A description of the boundaries of the territory to be annexed is attached hereto as Exhibit "A" and depicted on the map attached as Exhibit "B".
7. This Petition has been signed by at least 15 percent of the electors, or 100 electors whichever number is lesser, registered in the area proposed to be annexed; or at least 15 owners or owners of 10 percent of the land, (whichever is greater) within the area proposed to be annexed.
8. A security deposit form and payment is attached to this petition.

Signed this 8 day of April, 2022 by _____ Millennium Trust Co. LLC Custodian
Don P. Horton Chief Petitioner(s)
 Millennium Trust Co., LLC
 2001 Spring Road Ste. 700
 Oak Brook, IL 60523
 Signature Address, City, State, ZIP

DATED this 25 day of April, 2022

DATED this ___ day of _____, 20__

Approved by the Board of
Bend Park & Recreation District
 Name of District
Don P. Horton
 District Signature
 By: Don P. Horton
 (Print Name)
 Title: Executive Director

(if applicable) Approved by City of _____

 City Signature
 By: _____
 (Print Name)
 Title: _____

Security Deposit

Special District Formation or Reorganization

SEL 704

rev 01/18
ORS 198.775

Formation

Annexation

Withdrawal

Dissolution

District and Precinct Information

Name of District

Bend Park and Recreation District

Number of Precincts in District

Amount of Deposit per Precinct

Total Deposit (max of \$10,000)

Chief Petitioners

I/We hereby declare if the costs of the attempted formation annexation, withdrawal or dissolution of

Bend Park and Recreation

district exceeds the

deposit, I/we will pay to the county treasurer the amount of the excess cost (ORS 198.775)

Name print

KEVIN VERGATO

Signature

Residence

20977 fairwoods ct

Mailing Address if different

Same

City

Cupertino

State

CA 95014

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

N/A

Kind of Contribution*

Cash

Bond

Other Security Deposit

Name print

Millennium Trust Co. LLC Custodian
Agata Klejzik, Team Lead - Real Estate
Millennium Trust Company LLC

Signature

Residence

Millennium Trust Co., LLC
2001 Spring Road Ste. 700
Oak Brook, IL 60523

Mailing Address if different

Millennium Trust Co., LLC
2001 Spring Road Ste. 700
Oak Brook, IL 60523

City

State

Zip Code

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

Cash

Bond

Other Security Deposit

Name print

Signature

Residence

Mailing Address if different

City

State

Zip Code

City

State

Zip Code

Amount of Contribution/Value of Secured Deposit

Kind of Contribution*

Cash

Bond

Other Security Deposit

EXHIBIT A

NAME OF DISTRICT: Bend Park and Recreation District

Withdraw


	PRINT NAME	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LANDOWN IN THE PROPOSED TERRITOR REGISTER VOTER IN THE PROP TERRITOR
1	<u>Jeff D. Reed</u> Print Name  Signature	Date	PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Yes _____ No _____ Pre _____
2	Print Name <hr/> Signature	Date	PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Yes _____ No _____ Pre _____
3	Print Name <hr/> Signature	Date	PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Yes _____ No _____ Pre _____
4	Print Name <hr/> Signature	Date	PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Yes _____ No _____ Pre _____
5	Print Name <hr/> Signature	Date	PROPERTY ADDRESS <hr/> RESIDENCE ADDRESS (If Different)	Landowner Yes _____ No _____ Acreage _____ Registered Yes _____ No _____ Pre _____

EXHIBIT A

NAME OF DISTRICT: Bend Park and Recreation District

Withd


	PRINT NAME	DATE SIGNED	PROPERTY ADDRESS/ RESIDENCE ADDRESS (If Different)	LAN IN T PRO TER REG VOT THE TER
1	<p><u>KEVIN VERGHE</u> Print Name</p> <p> Signature</p>	<p><u>4/14/22</u> Date</p>	<p><u>61105 Ferguson Rd Bend, OR</u> PROPERTY ADDRESS</p> <p><u>20977 Fairwoods Ct Capetown CA</u> RESIDENCE ADDRESS (If Different)</p>	<p>Lant Yes No Acre Regi Yes No Pre</p>
2	<p>_____ Print Name</p> <p>_____ Signature</p>	<p>_____ Date</p>	<p>_____ PROPERTY ADDRESS</p> <p>_____ RESIDENCE ADDRESS (If Different)</p>	<p>Lant Yes No Acre Regi Yes No Pre</p>
3	<p>_____ Print Name</p> <p>_____ Signature</p>	<p>_____ Date</p>	<p>_____ PROPERTY ADDRESS</p> <p>_____ RESIDENCE ADDRESS (If Different)</p>	<p>Lant Yes No Acre Regi Yes No Pre</p>
4	<p>_____ Print Name</p> <p>_____ Signature</p>	<p>_____ Date</p>	<p>_____ PROPERTY ADDRESS</p> <p>_____ RESIDENCE ADDRESS (If Different)</p>	<p>Lant Yes No Acre Regi Yes No Pre</p>
5	<p>_____ Print Name</p> <p>_____ Signature</p>	<p>_____ Date</p>	<p>_____ PROPERTY ADDRESS</p> <p>_____ RESIDENCE ADDRESS (If Different)</p>	<p>Lant Yes No Acre Regi Yes No Pre</p>

EXHIBIT A
CALIFORNIA CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of Santa Cruz)

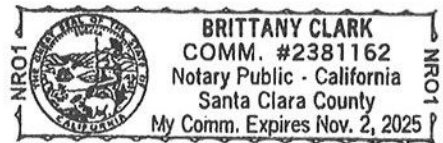
On 4/14/2022 before me, Brittany Clark, Notary Public
(here insert name and title of the officer)

personally appeared Kevin Verghe

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Brittany Clark

(Seal)

Optional Information

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of Bend park and recreation district annexation containing 3 pages, and dated 4/14/2022.

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-Fact
- Corporate Officer(s) _____ Title(s) _____

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____
Name(s) of Person(s) or Entity(ies) Signer is Representing

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:
 form(s) of identification credible witness(es)

Notarial event is detailed in notary journal on:
Page # _____ Entry # _____

Notary contact: _____

Other

Additional Signer(s) Signer(s) Thumbprint(s)

EXHIBIT A



901 NW Carlon Avenue, Suite 3 | Bend, OR 97703
(541) 797-0954 - www.sflands.com

2021-301-06
JULY 18, 2022
ANH

EXHIBIT A

TAX LOTS 18121500-00100 AND 00300 CITY OF BEND LAND USE BOUNDARY DESCRIPTION

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST, WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3-1/4 INCH BRASS CAP IN MONUMENT BOX MARKING THE NORTHEAST CORNER OF SAID SECTION 15; THENCE SOUTH 45°37'41" WEST, 42.57 FEET TO THE POINT OF BEGINNING, SAID POINT LIES AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF FERGUSON ROAD (HAVING A 30.00 FOOT HALF-WIDE WHEN MEASURED AT RIGHT ANGLES TO ITS CENTERLINE) AND THE WEST RIGHT-OF-WAY LINE OF DIAMOND BACK LANE (HAVING A 30.00 FOOT HALF-WIDE WHEN MEASURED AT RIGHT ANGLES TO ITS CENTERLINE); THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 00°48'58" WEST, 1293.08 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SAID SECTION 15; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, ALONG SAID SOUTH LINE OF THE NE1/4 NE1/4, NORTH 89°49'08" WEST, 1282.18 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MAGNOLIA LANE (HAVING A 30.00 FOOT HALF-WIDE WHEN MEASURED AT RIGHT ANGLES TO ITS CENTERLINE); THENCE LEAVING SAID SOUTH LINE OF THE NE1/4 NE1/4, ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 00°41'46" EAST, 1298.86 FEET TO SAID SOUTH RIGHT-OF-WAY LINE OF FERGUSON ROAD; THENCE LEAVING SAID EAST RIGHT-OF-WAY LINE, ALONG SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 89°33'36" EAST, 1284.85 FEET TO THE POINT OF BEGINNING.

SUBJECT TO: EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 21, 2009
ANDREW N. HUSTON
61407PLS

RENEWS: 6/30/2023

EXHIBIT A



901 NW Carlon Avenue, Suite 3 | Bend, OR 97703
(541) 797-0954 - www.sflands.com

2021-301-06
APRIL 5, 2022
ANH

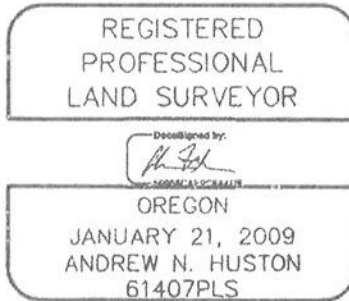
EXHIBIT A

MILLENNIUM TRUST COMPANY, LLC – TAX LOT 1812150000100
BEND PARK & RECREATION DISTRICT PETITION TO ANNEX PROPERTY

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON;

EXCEPTING THEREFROM THE NORTH 250.00 FEET OF THE WEST 348.48 FEET AND THE EAST 30.00 FEET THEREOF ANY PORTION LYING WITHIN THE BOUNDARIES OF FERGUSON ROAD.

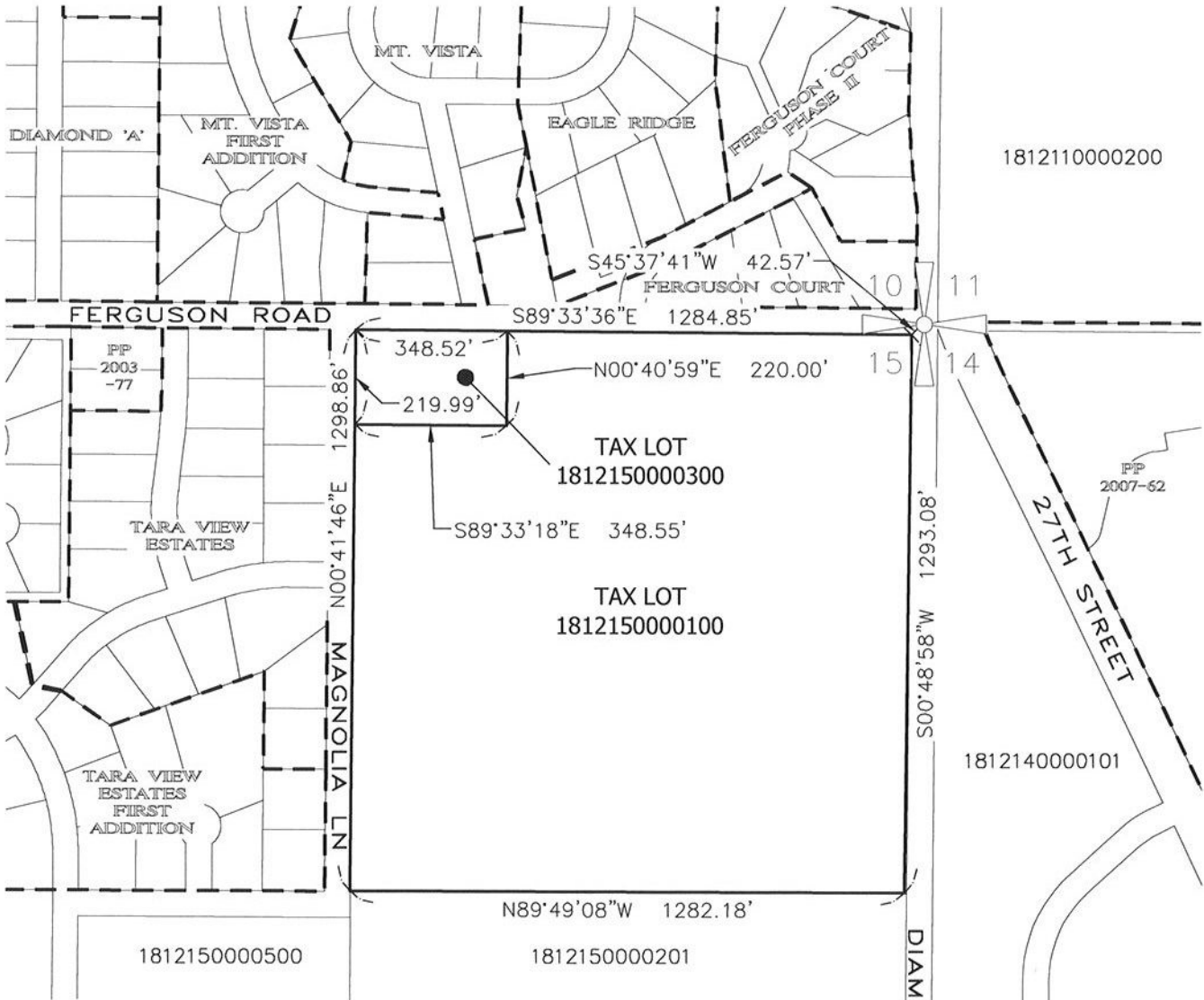
SUBJECT TO: EASEMENTS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.






RENEWS: 6/30/2023

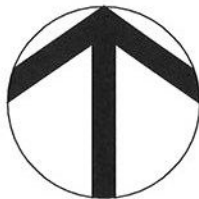
EXHIBIT A
EXHIBIT "B"
BOUNDARY EXHIBIT

LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4)
 OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.,
 DESCHUTES COUNTY, OREGON

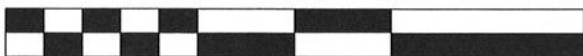


LEGEND:

-  SUBJECT PROPERTY BOUNDARY
-  APPROXIMATE TAX LOT LINE
-  SUBDIVISION/PARTITION BOUNDARY



400' 0 200' 400' 800'



SCALE: 1" = 400'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Andrew N. Huston
 OREGON
 JANUARY 21, 2009
 ANDREW N. HUSTON
 61407PLS

RENEWS: 6/30/2023

S&F Land Services

Date: 07/18/2022
 Proj No: 21-301-06

901 NW CARLON AVENUE,
 STE 3, BEND, OR 97703
 (541) 797-0954





www.sflands.com
 info@sflands.com

EXHIBIT A EXHIBIT "B" ANNEXATION EXHIBIT

LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4)
OF SECTION 15, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.,
DESCHUTES COUNTY, OREGON



LEGEND:

-  ANNEXATION EXPANSION BOUNDARY
-  AREA TO BE ANNEXED
-  APPROXIMATE TAX LOT LINE
-  SUBDIVISION/PARTITION BOUNDARY



400' 0 200' 400' 800'



SCALE: 1" = 400'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

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AS
DIGITAL SCANNING

OREGON
JANUARY 21, 2009
ANDREW N. HUSTON
61407PLS

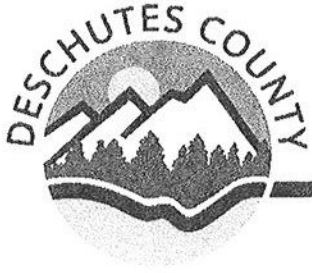
RENEWS: 6/30/2023

S&F Land Services

Date: 04/05/2022
Proj No: 21-301-06

901 NW CARLON AVENUE,
STE 3, BEND, OR 97703
(541) 797-0954

www.sflands.com
Info@sflands.com



**Petition for Annexation to
Bend Park and Recreation District
(61105 Ferguson Rd, Bend
Taxlot 1812150000100)**

Clerk's Certification

I, Steve Dennison, Deschutes County Clerk, do hereby certify that the signatures on the attached petition sheet are not voters within the proposed area to be annexed. There are zero (0) voters within the proposed area to be annexed. There are zero (0) valid signatures on the attached petition within the area proposed for annexation.

Dated this 11th day of October, 2022.

Steve Dennison
Deschutes County Clerk

EXHIBIT B



**DESCHUTES COUNTY ASSESSOR'S OFFICE
CARTOGRAPHY DEPARTMENT**

1300 NW Wall Street, Suite 204 | Bend, Oregon 97703

Office: (541) 388-6508 | **Fax:** (541) 382-1692

Website: <https://www.deschutes.org/assessor>

Property Info: <https://dial.deschutes.org/>

October 7, 2021

Steve Dennison

Deschutes County Clerk

Re: **Petition for Bend Park & Recreation District** (Millennium Trust & Vergho Family Trust)

Please be advised the attached petition meets the requirements of ORS 198.

Sincerely,

Gregg Rossi



Gregg Rossi | Chief Cartographer

Deschutes County Assessor's Office, Cartography Dept.

1300 NW Wall St. Suite 204 | Bend, Oregon 97703 PO Box 6005 | Bend, Oregon 97708

Tel: (541) 617-4703 | Fax: (541) 382-1692



EXHIBIT C

COMMUNITY DEVELOPMENT

TO: Deschutes County Board of Commissioners

FROM: Will Groves, Planning Manager

DATE: October 5, 2022

SUBJECT: Land Use Compatibility, 61105 Ferguson Road, Bend - Bend Park & Recreation District

The materials contained in the petition propose to annex lands to the Bend Park & Recreation District. I have coordinated with the City of Bend and confirmed that there are no planning or zoning obstacles to the proposed annexation in County or City regulations. The City of Bend commented, in relevant part regarding this (and a similarly situated) property:

Regarding the two properties, they are in the Bend UGB now, and have Comprehensive Plan designations approved through the Southeast Area Plan. The property owners have been working with CEDD on forthcoming master plan and site plan applications for residential development. The current UA Zoning is in effect until their applications for annexation to the City and their land use applications (e.g. master plan) are approved.